

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SUN PHARMACEUTICAL INDUSTRIES LTD.
and SUN PHARMACEUTICAL INDUSTRIES,
INC.,

Plaintiffs/Counterclaim-Defendants,

v.

LUPIN LTD. and LUPIN
PHARMACEUTICALS, INC.,

Defendants/Counterclaim-Plaintiffs.

Civil Action No. 3:18-cv-02213-FLW-TJB

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Rules 41(a)(2) of the Federal Rules of Civil Procedure, the Court, upon the consent and request of Plaintiffs Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc., and Defendants Lupin Ltd. and Lupin Pharmaceuticals, Inc., hereby acknowledges the following Stipulation and issues the following Order in the above-captioned case.

STIPULATION

1. This Court has subject matter jurisdiction over this patent infringement action (the “Action”) and personal jurisdiction over Plaintiffs and Defendants for purposes of the Action. Venue is proper in this Court as to Plaintiffs and Defendants for the Action.

2. In the Action, Plaintiffs have asserted claims against Defendants for infringement of U.S. Patent No. 8,778,999 (the “’999 Patent”) in connection with the filing of Defendants’ Abbreviated New Drug Application No. 211239.
3. On September 30, 2021, the Court issued its Opinion and Order resolving all claims in the Action. (Opinion (D.E. 244) and Order (D.E. 245)).
4. The parties agree that, upon the vacatur of D.E. 244 and 245, all claims, defenses, and counterclaims asserted against each other in Plaintiffs’ and Defendants’ pleadings in the Action, including the allegations and averments contained therein, should be dismissed, with prejudice.
5. Each party shall bear its own attorneys’ fees, expenses and costs incurred in connection with the Action.

SO STIPULATED:

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Dated: February 7, 2022

ORDER

Accordingly, pursuant to the above Stipulation, and upon the consent and request of Plaintiffs and Defendants, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. All claims, defenses, and counterclaims asserted by the parties against each other in Plaintiffs' and Defendants' pleadings in the Action, including the allegations and averments contained therein, are hereby dismissed, with prejudice.
2. Plaintiffs and Defendants each expressly waive any right to appeal or otherwise move for relief from this Stipulation And Order.
3. This Court retains jurisdiction over Plaintiffs and Defendants for purposes of enforcing this Stipulation and Order.
4. This Stipulation and Order shall finally resolve the Action.

5. The Clerk of the Court is directed to enter this Stipulation and Order forthwith in the
Action.

SO ORDERED:

Dated: _____, 2022

HON. FREDA L. WOLFSON
U.S. CHIEF DISTRICT JUDGE